

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RICHARD M. SMITH, et al.,                     )  
   )  
                  Plaintiffs,                     )  
   )  
          and   )  
   )  
STATE OF NEBRASKA,                     )  
   )  
                  Plaintiff-Intervenor         )  
   )  
                  v.                                 )  
   )  
MITCH PARKER, et al.,                     )  
   )  
                  Defendants.                     )  
\_\_\_\_\_  
   )

4:07CV3101

**ORDER**

After careful consideration of the motions pending in this matter, as well as the applicable law regarding intervention under Fed. R. Civ. P. 24 described in this court's previous Memorandum and Order (Filing [102](#)),

IT IS ORDERED:

1. The United States' Unopposed Motion to Intervene (Filing [104](#)) is granted;
2. The United States shall file its Answer to Plaintiffs' Second Amended Complaint, now appearing as Exhibit A in support of its Motion to Intervene (Filing [106-2](#)), within five (5) calendar days of the date of this Order;
3. Upon the filing of its Answer, The United States shall be included in the case caption as Defendant-Intervenor;

4. The Joint Motion to Extend Time to File Cross Motions for Summary Judgment (Filing [101](#)) filed by Plaintiffs and Defendants is granted, and such motions shall be filed on or before June 24, 2013;

5. The State of Nebraska shall contact all counsel (including counsel for the Defendant-Intervenor United States) and my judicial assistant, Kristin Leininger, on Tuesday, June 18, 2013, to schedule a conference call between the undersigned and counsel to discuss a briefing schedule for the intervening parties.

DATED this 17<sup>th</sup> day of June, 2013.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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